THE HONOURABLE SRI JUSTICE A.GOPAL REDDY

W.P.No.16509/1995

Dr. B. Sarabhalingam ..Petitioner

V.

The Special Deputy Collector, Land Acquisition, APIIC, Industrial Estate, Visakhapatnam.

..Respondent

THE HONOURABLE SRI JUSTICE A.GOPAL REDDY

W.P.No.16509/1995

ORAL ORDER

This writ petition is filed seeking a writ of Mandamus directing the respondent to pay the compensation in the light of the awards passed by the Land Acquisition Officer in Award Nos.5/95 dt. 19-5-1995; 6/95 dt. 21-6-1995 and Award No.7/95 dt. 15-6-1995.

Learned Standing Counsel for the respondent-Corporation

submits that since the matter was referred to civil court with regard to award No.6/95 dt. 21-6-1995 under Sections 30 and 31 of the Land Acquisition Act, 1894 (for short "the Act") awarded amount to a tune of Rs.66,75,063-49 was deposited in Senior Civil Judge's Court, Anakapalle and the same has been taken on file in OP No.75/96, which is pending adjudication.

In view of the pendency of the reference under Section 30 and 31 of the Act in OP No.75/96 before the reference court, the petitioner is at liberty to participate in the enquiry and produce all evidence including proceedings initiated under A.P. Land Reforms (COAH) Act, 1973 before the Land Reforms Tribunal and RDO, Visakhapatnam and substantiate his plea that he is entitled for compensation for the lands acquired.

The Principal Senior Civil Judge, Anakapalle, submitted his report dt. 22-3-2006 pursuant to the directions of this court dt. 13-3-2006 stating as follows:

1. References made under Sections 30 and 31(2) of the Act against Award Nos.5/95 dt. 19-5-1995 and 7/1995 dt. 15-6-1995, which were numbered as LAOP No.141/1996 and 74/1996 respectively were disposed of and full satisfaction of the decree was also recorded.

2. Reference made under Section 30 and 31(2) of the Act against award No.6/95 dt.21-6-1995 was numbered as LAOP No.75/1996, which is pending adjudication.

3. Reference made under Section 18 of the Act by the respondent on the application made by the petitioner seeking reference to the reference court against Award No.5/95 dt. 19-5-1995 was numbered as OP No.62/97, which is pending adjudication.

In view of the same, the Principal Senior Civil Judge, Anakapalle shall dispose of LAOP No.75/1996 along with LAOP No.62/97 as expeditiously as possible. It is needless to say if

both OPs are not connected with each other, he is at liberty to dispose of the same independently.

With the above direction, this writ petition is accordingly disposed of. No costs.

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Kmr 27-3-2006